

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

CATE CRUSE-WARNE,)
)
Plaintiff,) Civ. 11-5086
)
v.)
)
LIFE INSURANCE COMPANY)
OF NORTH AMERICA,)
)
Defendant.)
_____)

Uncontested Motion to Dismiss

The parties have resolved all remaining issues. Accordingly, plaintiff moves to dismiss this action **with** prejudice as to all claims that were or could have been asserted in this action that accrued through November 30, 2011, including attorneys' fees and costs, and **without** prejudice as to all claims that may arise after November 30, 2011. Defendant does not contest this motion, and has approved the form and content of this motion.

Dated: December 12, 2011 Respectfully submitted,

/s/ James D. Leach

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Certificate of Service

I certify that I served this document on defendant on this 12th day of December, 2011, by filing it electronically, thereby causing automatic electronic service to be made on defendants' attorneys.

/s/ James D. Leach

James D. Leach